

COUNCIL MINUTES
AUGUST 7, 2013

The City Council held a work meeting on Wednesday, August 7, 2013, at 5:50 p.m., in the Council Chambers, 10 North Main Street, Cedar City, Utah.

MEMBERS PRESENT: Mayor Joe Burgess; Councilmembers: Ron Adams; John Black; Paul Cozzens; Don Marchant.

ABSENT: Councilmember Nina Barnes.

STAFF PRESENT: City Manager Rick Holman; City Attorney Paul Bittmenn; City Engineer Kit Wareham; City Recorder Renon Savage; Finance Director Jason Norris; Police Chief Robert D. Allinson; Fire Chief Paul Irons; Fire Marshal Mike Phillips; Public Works Director Ryan Marshall; Wastewater Plant Superintendent Darrel Olmsted; Airport Manager Russ Volk; Pretreatment Coordinator Peter Sury.

OTHERS PRESENT: Tom Jett, Robert Jones, Tom Heaton, Dutch Workman, Jack Sury, Shari Rudd, Kerry Fain, Ann Powell, Holly Porter, Ann Johnson, Vickey Carlson, Dick Carlson, Chandelor Lose, Ralph McAfee, Josh Huntsman, Paige Gunn, Mary Cozzens, Sara Penny, Donna Law, Deborah Snider, Mauri Bleazard, Bev Burgess, Maile Wilson, Linda Wilson, Doug Hall, Weslie Graham, Fred Rowley.

CONSIDER RENEWAL OF THE FRANCHISE AGREEMENT WITH ROCKY MOUNTAIN POWER – TOM HEATON: Tom Heaton – showed a short presentation, see Exhibit “A”. We have a long standing history with the community and our franchise agreement is up for renewal. By way of community support we are involved with a lot of events, Women in Business Pumpkin Festival, Utah Summer Games, Utah Shakespearean Festival, and the Livestock Fair. We love being part of the community; it is a wonderful place to be. Rick, Paul and I have been working on this and they have been amazing to work with. Paul – RMP was pretty easy to work with. Kit also worked with us. They cooperate with moving lines and it is in the contract, if it a developer they will pass that on to the developer. When we did Coal Creek redesign by Main Street it was tens of thousand dollars to lower a line, it is a big deal. Cozzens – we appreciated your staff meeting with the Aquatic Center in working on the Ice Skating Rink and we appreciate their efforts. Consent.

SB 218, FUNDING EFFORTS WITH LOCAL AGENCIES IN REGARDS TO ICYC, AND IMPACTS ON LOCAL YOUTH, FAMILIES AND LAW ENFORCEMENT – JILL MCKINLAY, PROGRAM ADMINISTRATOR FOR SOUTHWEST UTAH YOUTH CENTER & IRON COUNTY YOUTH CENTER/CHIEF ALLINSON: Robert Jones, Supervisor of Iron County Youth Center – we have been tasked by our directors to address our local authorities about Senate Bill 218. Locally it is the Iron County Youth Center. You have good information in your packet. Historically we have been funded by the Legislature and in 2012 they did not approve funding for receiving centers in the State and it was put under Juvenile Services. The Cedar City and Blanding Building were cut. Over the past two years we were fortunate with working with Evan Vickers and John Westwood in receiving funding. Last year they proposed a bill to change how the Iron County Youth Center is funded. They want federal, local and state to participate in addition to private

donations. So we are asking for money. We take local youth in crisis, runaways, DCFS removals and several inner agencies, SW behavioral Safety with Iron County School District and Police Forces. We are trying to find money to support the youth center. We have had to close from Saturday night to Monday morning and we have lost a few full-time people. It affects the Police Department, in taking juveniles.

Chief Allinson – for local perspective, they gave you stats on referrals, we deal with crisis daily and they don't meet the criteria of going to detention and we don't want them there. It gives us a place to take the youth so we don't have to babysit them. If we don't have somewhere to take them our officers do babysit them. It is preventative so we don't deal with them as adults. The legislature has said it is one time funding, but they also want the local communities to help fund this.

Black – are we talking about immediate or next budget cycle? Robert - more for the next budget cycle. It is an unknown the model is like the CJC as far as local government funding. We are not exactly sure on numbers for funding. With the last cuts to receive back another position was around \$43,000, most of those figures are available. Marchant – what time frame are you looking at? Robert – it is hard to say, it is new for us. We know that the Legislature has said we need investment from the communities and Chief Allinson talked about the importance of receiving centers. Chief – the receiving center is for three counties. We are going to the County Commission also. It also includes Beaver and Garfield Counties. Robert – we receive funding through the Legislature in March, I don't know if we need to know before that or not. Adams – you bring occupants from other communities. Rob – yes, we also take youth from Washington, we are housed in a house it is a better environment. Chief – we started this in 1999, we are one of the few facilities in the area, and this is all we have in this area. If we lose this Richfield is the closest facility. Cozzens – Chief have you been to the Legislature? Chief – we have a luncheon with the legislature each year and we educate them there. We also have them tour the facility. Jill has also been very good at promoting this. Cozzens – what is your budget? Robert – about \$400,000. We are a 24 hour facility minus the hours we have had to close. Marchant – when you are closed is it totally closed down? Robert – yes, and we have had problems with the Police force being able to bring youth in. Cozzens – what is the overlap with DCFS? Robert – any youth ages 10 – 18 we take them if they are removed from their homes for protection. Black – what is the capacity? Robert – it was cut from 9 beds to 4 kids. That is for overnight stays. We work closely with the Iron County School District housing their truancy program as well.

REVIEW BIDS FOR A 100 FOOT AERIAL PLATFORM & 1500 GPM PUMPER – CHIEF IRONS: Chief Irons – you have a review of 3 bids, we want to go with the middle bid from Ross Equipment. The Rosenbauer bid had deficiencies. There is also a letter from a loan company that the Mayor and I went to their meeting. We will go back on October 3rd for funding and we will order the engines after that funding. Talking with Ross Equipment, Pierce has not had an increase yet and they will hold the price. Also there is a bond agreement, legal agreement and contingency. We are under budget. \$1,740,000 is the total. The contingency is in case there is something we need on the truck that is not included. Mayor – contingency will be spent through the approval channels. Rick – we approved annual payment on the CIB bond in the budget. Even though you are approving the total amount it is an annual payment. As it gets closer we will figure the CIB payment and the

money we can use for contingency and bond counsel. Mayor – we won't spend more than allotted in the budget. Consent.

REVIEW OF THE MUNICIPAL WASTEWATER PLANNING PROGRAM

RESOLUTION – DARRELL OLMSTED: Darrell – this is a report that the State has all WWTP's in the state do. As part of the report we are required to come to you and see that you have seen the report and you need to approve a resolution. Our numbers are really low. Action.

PRESENTATION OF THE LOCAL LIMITATION EVALUATION REPORT –

PETER SURY: Pete – I am Pretreatment Coordinator for Cedar City Corporation. I will summarize the local limitation report. See Exhibit "B".

Black – are we ok? Pete – fantastic. I work with officer Bulloch on best managing practices, the hospital and SUU for training to do outreach on pharmaceuticals because they do cause problems. Mayor – I have been asked how we do with our pretreatment and I tell them that Pete does a nice job. Rick – we are fortunate to have Peter and a certified lab at our Treatment Plant. Our approach is keeping the industries in check. Paul – will we have to require other things from our industries? Pete – no, through the process there were a lot of unknowns. They are well informed on what we are doing and they will have no additional requirements. These are less than federal other than lead. There are no issues, it is truly local, that was the nuts and bolts on why the EPA and State require us to incorporate a technical evaluation of the limits. Cozzens – how long have we had your positions? Pete – Pretreatment Program was required in 1995, so the position came shortly thereafter. There is more industry but it is not worse. GAF will have no discharge. We have not had more pollution to sanitary service with the industry growth. Consent.

CONSIDER THE STATE OF UTAH DIVISION OF AERONAUTICS PAVEMENT PRESERVATION GRANT APPLICATION – RUSS VOLK:

Russ – the Airport had been forecasted to receive \$560,000 for pavement preservation and pavement replacement. During our budget process the Airport fund covered the 10% cost share. Now that we are getting closer to accomplishing projects there was additional pavement requested by Department of Aeronautics so our share grew to \$22,000 from \$16,000. We won't know until the spring if we receive that extra and need the additional \$6,000. The Air carrier ramp where SkyWest parks is what was added. This is to coat the asphalt and repaint the markings in an attempt to save it, we are seeing deterioration in asphalt, it is reaching 50 years old. We are waiting results for asphalt on the Airport. We were fortunate to receive the grant. Once you become an entitlement Airport the State grants go away, but they continued with this grant. The pavement preservation won't be done until next spring. Mayor – could we use the \$1,000,000 on this project? Russ – yes and in the future we will use that \$1,000,000 grant to cover these projects. Consent.

Russ - We took a lightning strike to the Airport that will cost about \$25,000, our expense account is about zero now. We have filed a claim with our insurance. It did extensive damage. Black – is everything fixed? Russ – we are checking the lightning protection to see if we can do additional protection. When lightning strikes it hits the weakest link. We will then start on our flood damage.

CONSIDER A RESOLUTION SUBMITTING A BALLOT MEASURE TO THE CITIZENS OF CEDAR CITY RELATED TO THE REAUTHORIZATION OF A .1% SALES AND USE TAX TO FUND BOTANICAL, CULTURAL, RECREATIONAL, AND ZOOLOGICAL ORGANIZATIONS OR FACILITIES – PAUL BITTMENN:

Paul – the resolution you have would put the ballot question to voters for 10 years of RAP tax. We could spend it on anything the State allows. The County passed a resolution saying they are not interested in the RAP tax business. If the voters pass it, it will come back to enact the tax. Mayor – is the wording as it was 7 years ago? Paul – there have been changes in State law and those changes have been incorporated. Other than that it is the same.

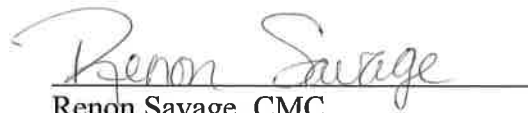
Action.

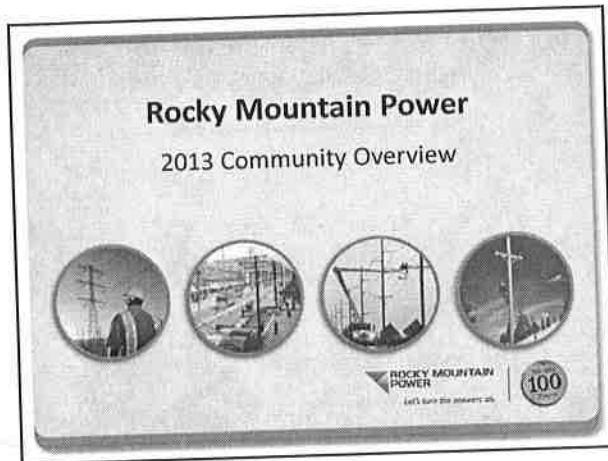
CONSIDER PROPOSAL FOR CITY COMPUTERS' SERVICE – RICK HOLMAN:

Rick – the City has over the years used a contract service to maintain our computer hardware equipment allowing us the flexibility with not having IT staff. We have worked with a local vendor for a number of years. We were asked to advertise by another interested party, we put out an RFP and they decided not to bid. We received one from Mountain West Computers. We recommend that we continue service with them. Cozzens – they are very fair and do a fantastic job. It is a good move not to have staff. Consent.

CONSIDER THE APPOINTMENT OF ANN POWELL & STEVE DODDS TO THE BOARD OF ADJUSTMENTS – MAYOR BURGESS: Mayor – a few months ago we standardized the bylaws for our boards and in doing so the numbers were standard. The board needing more members was the Board of Adjustments. We have asked Ann Powell and Steve Dodds. Ann was born in Salt Lake City, and has lived in Cedar for 20 years. She is married to Greg Powell, and is the mother of four children and also has a son-in-law and one very cute grandbaby. She is a personal trainer at Spirit Fitness and is active in the PTA and in other school activities. I feel she would do an excellent job. Steve grew up in Panguitch and has raised his 6 children in Cedar City. He lives on Rountree Drive. He has worked for the US Forest Service for most of his career as a surveyor. In the last ten years, he has been working with Forest Service policy makers in Washington D.C. with their GIS efforts. His wife Mardi is a teacher with the iron County School District. His hobbies include being a cowboy and cooking Dutch oven. Consent.

ADJOURN: Councilmember Marchant moved to adjourn at 6:50 p.m.; second by Councilmember Adams; vote unanimous.


Renon Savage, CMC
City Recorder

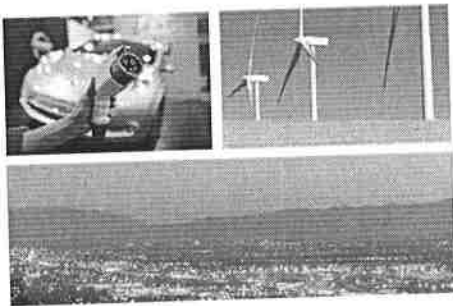


Serving customers for a century

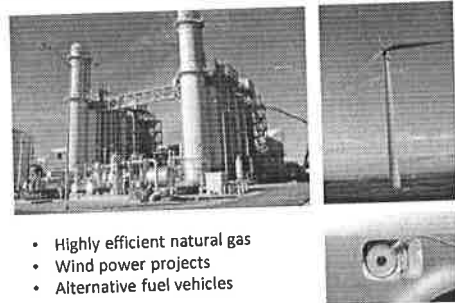
- In 1912 power was available a few hours a night for about 40,000 customers
- Rocky Mountain Power now serves over a million customers, 24-7



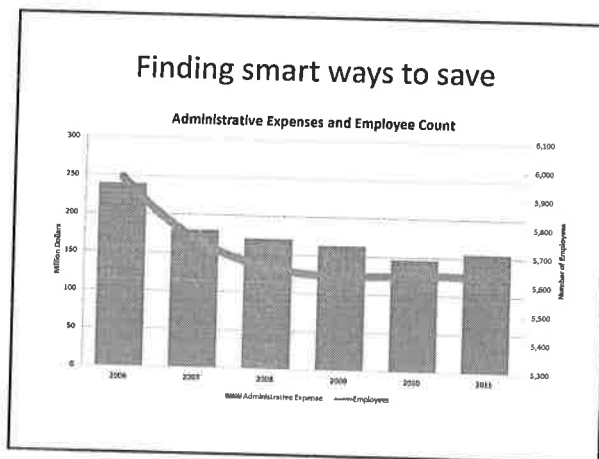
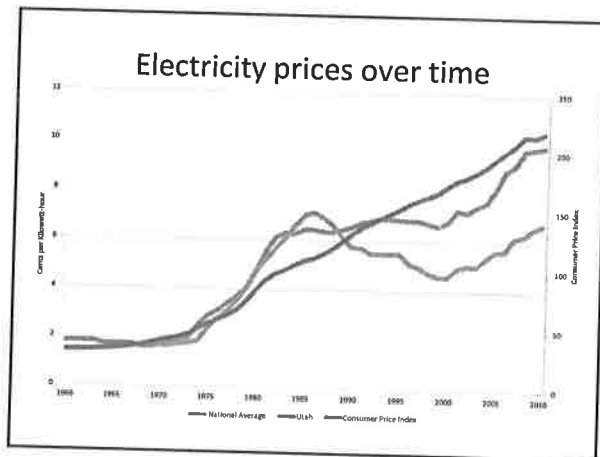
What does *our* future hold?



Our stewardship of the environment



- Highly efficient natural gas
- Wind power projects
- Alternative fuel vehicles



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- Do the residents of your communities take full advantage of these programs?
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Low cost now and in the future

What customers are paying

States have the cheapest electricity in the nation. Hawaii has the most expensive. By state, what residential customers paid in cents per kilowatt-hour in 2010. (Source: EIA)

State	Price	State	Price	State	Price
Idaho	7.08	Kansas	10.08	Pennsylvania	12.70
Montana	8.08	Georgia	10.09	Nebraska	13.60
North Dakota	8.13	North Carolina	10.12	Ohio	14.04
South Dakota	8.17	Illinois	10.43	Colorado	14.18
Utah	8.21	Michigan	10.48	Massachusetts	14.38
Wyoming	8.27	South Carolina	10.50	Alabama	14.39
West Virginia	8.39	Arkansas	10.52	California	14.75
Delaware	8.46	Minnesota	10.59	Virginia	15.17
Florida	8.82	Alaska	10.67	Indiana	15.31
Nebraska	8.98	Arizona	10.97	Mississippi	15.32
South Dakota	8.99	Connecticut	11.04	Alabama	16.26
Louisiana	9.00	Ohio	11.74	New Hampshire	16.32
Illinois	9.14	Illinois	11.82	Ohio	16.33
Montana	9.16	Texas	12.40	New York	16.74
Minnesota	9.23	Canada	14.36	Connecticut	16.85
Wisconsin	9.30	Michigan	15.40	Illinois	16.88
Mississippi	9.37	Arkansas	15.49	Alabama	17.14

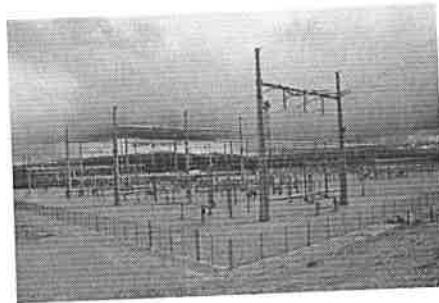
From USA Today, 13 Dec 2011

RMP's local presence

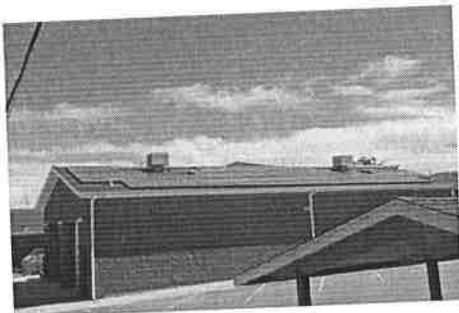


- Safe, reliable electricity
- Committed to Cedar City
- Reliability continues to improve because of investments made in the local area

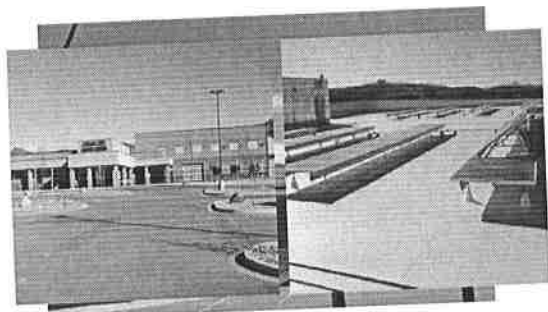
Three Peaks Substation



Cedar City Fire Station #1



Cedar City Aquatic Center



SWATC Blue Sky Solar Project



Cedar City Corporation Local Limitation Report

Peter J. Sury
Cedar City Corporation
Pretreatment Coordinator

Contact Information:

Office: 435-867-9426 Ext:304
Email: Spete@cedarcity.org

10 North Main St.
Cedar City Utah
June 23, 2013

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Brief Overview of Applicable Federal Regulations

- Principle requirement to develop local limits found at 40 CFR Part 403.5(c):
 - "When specific limits must be developed":
- Each POTW with an approved Pretreatment program must develop and continue to develop limits for:
 - General Prohibitions found at 403.5(a)(1),
 - Specific Prohibitions, found at 403.5(b)

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National Pretreatment Discharge Standards (40 CFR Part 403) – Two Forms

◆ Prohibitions on discharges



◆ National categorical discharge Standards





Protection of Human Health, Sewers and Treatment Structures From:

Protection of Citizens and City Workers from:

- Fire
- Explosion
- Corrosion
- Structural Integrity
- Toxins
- Worker entry into sewers, Lift Stations, tanks etc. with possible high concentrations of toxic gases and/or materials

CCRWTF, Treatment Facility:

- Process Interference
- Pass Through
- Sludge Disposal Interference - Nitrification (Activated Sludge Process).



Pollutants of Concern (POC)

Priority Pollutants:

- Biochemical Oxygen Demand (BOD)
- Total Suspended Solids (TSS)
- Oil & Grease (O&G)

Toxics:

- | | |
|------------|-------------------|
| • Arsenic | • Silver |
| • Cadmium | • Zinc |
| • Chromium | • Molybdenum |
| • Copper | • Cyanide |
| • Lead | • TTO's (SVO-VOC) |
| • Mercury | |
| • Nickel | |
| • Selenium | |

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Pollutants of Concern (POC)

Pollutants of Concern by Definition:

- Any pollutant listed in State Water Quality Standards.
- Any pollutant detected in an influent or effluent sample and its concentration was equal to or greater than 0.05 mg/l.
- Any pollutant identified in biosolids analytical results which is not a pollutant that would be expected or atypical concentration.
- Any other pollutant specifically designated by POTW Pretreatment Program and EPA, DEQ as a pollutant of concern.

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Practical Considerations

Source Water:

- Different sources
- Changes over time

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Safety and Growth Factors

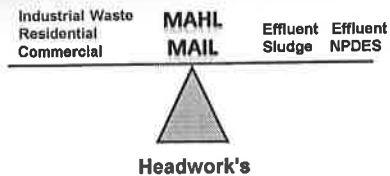
- ♦ Safety factor
 - Data variability
 - Slug loads
 - Plant performance
- ♦ Growth factor
 - Pollutant specific
 - Domestic/commercial
 - Industrial



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Mass Balances Practical Considerations

Headwork's data are the fulcrum point for mass balances



Maximum Allowable Headwork's Loading (MAHL)
 –The mass of a pollutant to a POTW that won't cause pass through, interference, or sludge problems.

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Mass Balances Practical Considerations Cont.

- ♦ MAHL = plant's capacity to treat a POC
- ♦ View MAHL like a pie
 - Many ways to slice it
 - Cannot give away more than you have



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Categorical Standard Pollutant Applicability

- Per request by DEQ and as applicable to Federal Categorical Discharge Standards TTO's shall be removed from Local Limits.
- Per request by DEQ pollutant Cyanide shall be removed from Local Limitation standards.
- ♦ It will be noted, both Pollutants TTO, and Cyanide are ONLY applicable to National Categorical Standards.

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Parameter Molybdenum Lack of Regulatory Weight

- Per request by DEQ the city shall not enable a Local Limitation Standard for parameter Molybdenum.

No Molybdenum standard available within:

- 40 CFR 503.13 Table 4
- UAC R317-6-2
- 40 CFR 503 Sludge Regulations

This POC does not present a threat for pass through, inhibition, or disruption of sludge application.

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Units of Measurement pH

- Per request by DEQ the City shall hereby incorporate 40 CFR 403.8 and 261 (pH range 5.0 – 12.5) Unit of measurement as Local Limit.
- pH units range shall remain within a minimum of 5.0, and a maximum of 12.5 at all times.

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Local Limits Metals (Mg/l)

Arsenic 0.49 mg/l	Cadmium 0.21 mg/l	Chromium 2.98 mg/l	Copper 13.45 mg/l
Silver 3.99 mg/l		Zinc 18.28 mg/l	
Lead 0.42 mg/l	Mercury 0.07 mg/l	Nickel 5.74 mg/l	Selenium 0.72 mg/l

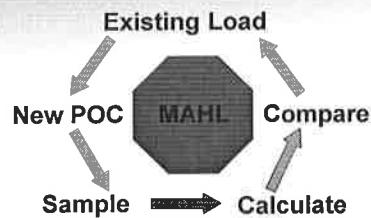
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Local Limit Allocation Practical Considerations

- Local Limit Pollutant Load is more stringent than prior.
- However, Local Limit is not expected to negatively impact any present permitted industrial users.

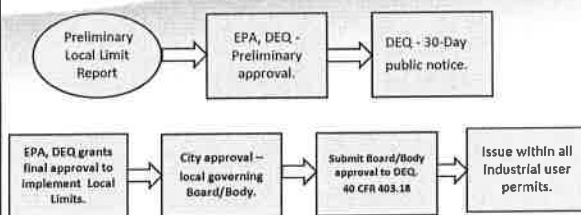
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Continually Improving Local Limits



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USEPA/DEQ Submittal and Approval Cont.



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Land Application Site

Thank You

Peter J. Sury
Cedar City Corporation
Pretreatment Coordinator

Contact information:

Office: 435-867-9426 Ext:304
Email: Spete@cedarcity.org

